UNITED NATIONS

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Security Council

Distr.
GENERAL

S/AC.26/1999/12
24 June 1999

Original: ENGLISH

UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

SIXTH REPORT OF THE EXECUTIVE SECRETARY PURSUANT TO ARTICLE 41 OF THE PROVISIONAL RULES FOR CLAIMS PROCEDURE: CORRECTIONS TO APPROVED CLAIM AWARDS

1. The present report identifies, pursuant to article 41 of the Provisional Rules For Claims Procedure (S/AC.26/1992/10) (the "Rules"), corrections to approved claim awards in claims category "A".

2. As noted in previous reports of the Executive Secretary 1/, corrections typically have been reported by the Commissioner panels in their reports and recommendations to the Governing Council. However, the category "A" Panel has concluded its work and no longer sits. Therefore, corrections to approved claim awards in category "A" are reported by the Executive Secretary to the Governing Council.

3. The following category "A" claims corrections are recommended.

I. CATEGORY "A" FAMILY MEMBER CLAIMS

4. As reported in the information note presented to the Governing Council at its thirty-first session held on 15-18 March 1999, the Commission ran a computer search across the entire spectrum of category "A" claims in order to ascertain those claimants whose claim forms contained family information but whose claim awards had been calculated at individual levels. The computer search detecced 7,560, claims from 46 Governments and international organizations with information provided as to accompanying family members. A sample of corresponding paper claim forms showed that data entry errors had been made for all such claims when the information from the paper claim forms had been transferred to the computer diskettes.

1/ S/AC.26/1997/2, S/AC.26/1997/4, S/AC.26/1998/5, S/AC.26/1998/9 and S/AC.26/1998/14.

The result is that all 7,560 claims identified should have received awards at the family level rather than amounts for individual claimants.

5. Based on the above, compensation levels for these 7,560 claims should be raised from individual to family amounts. Corrections to the awards are included in the corrected total recommended award in section IV infra.

II. MATCHING OF HIGH CATEGORY "A" CLAIMS AGAINST CLAIMS IN CATEGORIES "B", "C" AND "D"

6. Decision 21 (S/AC.26/Dec.21 (1994)) of the Governing Council states that "any claimant who has selected a higher amount under category 'A' (US$4,000 or US$8,000) and has also filed a category 'B', 'C' or 'D' claim will be deemed to have selected the corresponding lower amount under category 'A'". The Commission has recently completed an enhanced cross-category matching programme that allows it to check claims data across several categories. In addition, the Commission has concluded the entry of claims data for all claims in categories "C" and "D". As a result, the Commission has now been able to apply the high "A" matching programme to all claims data in categories "B", "C" and "D" in order to determine those claims that were filed for higher amounts in category "A" and that also have claims in those categories. The "A" claims so identified need to be reduced to the lower amount in accordance with decision 21.

7. As part of the first round of payments all category "A" claims that have been awarded compensation were paid an initial amount of US$2,500. Because the Commission is making preparations to begin the second round of payments, it was important to identify all those claimants who have filed claims for higher amounts in category "A" but who are not entitled to receive more than the US$2,500 already distributed because they have filed claims in other categories. In this report, the results of the running of this application have been confined to those "A" claims awarded compensation in instalments one and two. The results of the high "A" matching programme for the remaining instalments will be reported in an article 41 report to be submitted to the Council at its thirty-third session in September 1999.

8. Claimants with claims that were filed for the higher amount in category "A" that have been found to have filed claims in other categories have had their claim amounts adjusted downward in accordance with decision 21. A total of 2,244 claims from 24 Governments and international organizations were detected by the high "A" matching programme. The adjusted claim awards have been included in the corrected total recommended awards in section IV infra.

III. CATEGORY "A" DUPLICATE CLAIMS

9. Having concluded the entry of claims data for claims in categories "C" and "D", and, as a result of running the enhanced matching programme, the Commission has been able to locate a number of duplicate claims within category "A" that had previously gone undetected. A total of 953 claims for 19 Governments have been found to be duplicates. This total includes those duplicate claims that have been reported by Governments. No compensation should be awarded for the duplicate claims and the total recommended awards have been revised accordingly.

IV. CATEGORY "A" CORRECTED AMOUNTS

10. The aggregate corrected amounts per country, by claim instalment, are as follows:

First instalment corrections

Country or International Organization	Previous total recommended award (US$)	Corrected total recommended award (US$)
BAHRAIN	81,000.00	83,500.00
BANGLADESH	17,746,000.00	17,689,000.00
BRAZIL	527,500.00	531,500.00
EGYPT	61,334,000.00	61,476,000.00
FRANCE	992,500.00	989,500.00
GERMANY	271,500.00	270,000.00
INDIA	24,728,500.00	25,048,000.00
IRAN	590,500.00	580,500.00
IRELAND	359,500.00	356,500.00
KUWAIT	17,348,500.00	17,344,000.00
MOROCCO	216,000.00	242,000.00
NIGERIA	25,000.00	23,500.00
NORWAY	18,000.00	20,500.00
PAKISTAN	12,221,000.00	12,099,500.00
PHILIPPINES	2,192,500.00	2,195,000.00
REPUBLIC OF KOREA	435,000.00	437,500.00
ROMANIA	571,000.00	577,500.00
RUSSIAN FEDERATION	2,876,000.00	2,880,000.00
SRI LANKA	25,117,000.00	25,114,500.00
SUDAN	5,024,000.00	5,029,000.00
SYRIA	576,000.00	575,500.00
THAILAND	1,508,500.00	1,505,500.00
UNDP JERUSALEM	286,500.00	283,500.00

UNITED KINGDOM	819,000.00	821,500.00
UNITED STATES OF AMERICA	887,000.00	888,000.00

Second instalment corrections

Country or International Organization	Previous total recommended award (US$)	Corrected total recommended award (US$)
ALGERIA	47,500.00	43,000.00
AUSTRIA	49,000.00	53,000.00
BAHRAIN	52,000.00	54,500.00
BANGLADESH	51,519,000.00	51,329,500.00
BOSNIA-HERZEGOVINA	48,000.00	52,000.00
CANADA	721,500.00	737,000.00
CHINA	25,159,000.00	25,171,000.00
EGYPT	142,529,000.00	142,560,500.00
GREECE	28,500.00	25,500.00
INDIA	50,123,500.00	50,859,500.00
IRAN	50,266,000.00	50,403,500.00
ITALY	91,500.00	94,000.00
JORDAN	96,425,000.00	94,184,500.00
KUWAIT	87,523,500.00	87,520,500.00
MOROCCO	68,000.00	77,000.00
PAKISTAN	19,819,000.00	19,526,500.00
PHILIPPINES	5,767,500.00	5,763,000.00
REPUBLIC OF KOREA	80,500.00	77,500.00
SENEGAL	89,500.00	86,500.00
SOMALIA	79,000.00	81,500.00
SRI LANKA	77,278,500.00	77,298,500.00
SUDAN	14,464,500.00	14,458,500.00
THAILAND	4,294,000.00	4,297,500.00
TUNISIA	188,000.00	192,000.00
UNDP WASHINGTON	44,000.00	48,000.00
UNDP YEMEN	57,500.00	57,000.00
UNHCR BULGARIA	11,500.00	14,000.00
UNHCR GENEVA	15,500.00	12,500.00
UNITED KINGDOM	168,500.00	172,500.00

Third instalment corrections

Country	Previous total recommended award (US$)	Corrected total recommended award (US$)
EGYPT	174,259,000.00	174,390,500.00
INDIA	16,131,000.00	16,993,000.00
IRAN	67,718,000.00	68,574,500.00
JORDAN	93,287,000.00	93,844,500.00
KUWAIT	104,627,000.00	104,632,000.00
PHILIPPINES	5,515,500.00	5,519,500.00
SRI LANKA	52,441,000.00	52,409,000.00
SUDAN	11,927,000.00	11,947,000.00
UNITED STATES OF AMERICA	165,500.00	168,000.00

Fourth instalment corrections

Country or International Organization	Previous total recommended award (US$)	Corrected total recommended award (US$)
BAHRAIN	22,000.00	28,500.00
BANGLADESH	52,759,500.00	52,835,500.00
BOSNIA-HERZEGOVINA	3,541,000.00	3,545,000.00
BULGARIA	1,817,000.00	1,821,000.00
CANADA	434,500.00	439,500.00
EGYPT	207,354,000.00	207,798,000.00
ETHIOPIA	171,500.00	192,500.00
FRANCE	154,500.00	138,000.00
INDIA	144,880,000.00	148,425,500.00
IRAN	3,485,000.00	3,593,000.00
ITALY	181,500.00	184,000.00
JORDAN	17,642,500.00	17,837,500.00
LEBANON	3,911,500.00	5,724,000.00
MOROCCO	135,503.00	140,500.00
PAKISTAN	22,808,000.00	22,851,500.00
PHILIPPINES	30,591,000.00	30,558,000.00
ROMANIA	3,457,000.00	3,459,500.00
RUSSIAN FEDERATION	8,968,000.00	9,016,000.00
SOMALIA	509,000.00	515,500.00
SRI LANKA	71,978,500.00	71,729,500.00
SUDAN	10,222,000.00	10,243,000.00
SYRIA	26,352,000.00	26,612,500.00

THAILAND	2,597,500.00	2,597,500.00
TURKEY	6,302,000.00	6,297,000.00
UNHCR CANADA	49,500.00	56,000.00
UNHCR GENEVA	28,000.00	30,500.00
UNRWA GAZA	466,500.00	690,000.00
VIETNAM	24,834,500.00	24,838,500.00
YEMEN	25,565,500.00	25,645,000.00

Fifth instalment corrections

Country or International Organization	Previous total recommended award (US$)	Corrected total recommended award (US$)
BANGLADESH	52,348,500.00	52,561,500.00
BOSNIA-HERZEGOVINA	3,528,000.00	3,528,000.00
BULGARIA	1,890,000.00	1,894,000.00
CANADA	390,500.00	409,000.00
CHINA	5,712,000.00	5,704,000.00
CZECH REPUBLIC	455,000.00	459,000.00
EGYPT	217,009,000.00	217,268,500.00
ETHIOPIA	224,000.00	226,500.00
FEDERAL REPUBLIC OF YUGOSLAVIA	3,794,500.00	3,790,500.00
INDIA	145,461,000.00	150,137,000.00
IRAN	3,753,000.00	3,835,500.00
ITALY	179,500.00	182,000.00
JORDAN	17,274,000.00	17,425,000.00
LEBANON	3,908,000.00	5,763,000.00
MOROCCO	105,500.00	108,000.00
PAKISTAN	23,178,000.00	23,185,000.00
POLAND	3,738,500.00	3,742,500.00
ROMANIA	3,548,000.00	3,552,000.00
RUSSIAN FEDERATION	8,312,000.00	8,328,000.00
SOMALIA	467,500.00	477,500.00
SRI LANKA	72,551,500.00	72,105,000.00
SUDAN	38,662,000.00	38,721,500.00
SYRIA	26,801,000.00	27,003,000.00
THAILAND	10,563,000.00	10,631,000.00
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	967,500.00	971,500.00

TURKEY	6,547,500.00	6,514,000.00
UNDP JERUSALEM	71,500.00	75,500.00
UNHCR CANADA	59,000.00	64,000.00
UNITED KINGDOM	1,306,000.00	1,311,000.00
UNRWA GAZA	541,000.00	794,000.00
YEMEN	29,181,000.00	29,208,500.00

Sixth instalment corrections

Country or International Organization	Previous total recommended award (US$)	Corrected total recommended award (US$)
AUSTRALIA	64,500.00	64,500.00
BANGLADESH	66,182,000.00	66,288,500.00
BOSNIA-HERZEGOVINA	2,048,000.00	2,060,000.00
BRAZIL	616,500.00	619,000.00
CANADA	51,000.00	67,000.00
EGYPT	18,745,500.00	18,711,000.00
ETHIOPIA	90,000.00	94,000.00
FRANCE	27,000.00	24,500.00
INDIA	17,429,500.00	17,978,000.00
IRAN	5,838,000.00	5,626,500.00
ITALY	35,500.00	38,000.00
JORDAN	18,712,000.00	18,735,000.00
KUWAIT	17,173,000.00	17,166,500.00
LEBANON	410,000.00	540,000.00
MOROCCO	2,468,500.00	2,575,000.00
PAKISTAN	46,786,000.00	46,859,500.00
PHILIPPINES	61,012,000.00	60,951,000.00
REPUBLIC OF KOREA	61,000.00	63,500.00
RUSSIAN FEDERATION	3,384,000.00	3,396,000.00
SRI LANKA	36,889,500.00	36,643,000.00
SUDAN	512,000.00	509,500.00
SYRIA	5,218,500.00	5,285,500.00
THAILAND	2,248,500.00	2,260,500.00
TUNISIA	1,867,000.00	1,891,500.00
TURKEY	1,300,500.00	1,566,000.00
UNRWA GAZA	37,000.00	47,000.00
YEMEN	1,823,500.00	1,855,500.00

11. Based on the above corrections, the revised total recommended awards by instalment are as follows:

Revised total recommended awards for category "A" claims

Instalment	Previous total recommended award (US$) 2/	Corrected total recommended award (US$)
FIRST	189,328,500.00	189,638,000.00
SECOND	643,114,500.00	641,356,500.00
THIRD	531,696,500.00	534,103,500.00
FOURTH	732,579,500.00	739,203,000.00
FIFTH	782,481,000.00	789,889,000.00
SIXTH	319,664,500.00	320,542,000.00

2/ The previous total recommended award amounts in this column include the initial awards approved by the Governing Council in its decisions 22, 28, 29, 31, 33 and 38 (S/AC.26/Dec.22 (1994), S/AC.26/Dec.28 (1995), S/AC.26/Dec.29 (1995), S/AC.26/Dec.31 (1995), S/AC.26/Dec.33 (1995) and S/AC.26/Dec.38 (1996)) and subsequent corrections approved by the Governing Council in its decisions 42, 44, 51, 54, and 57 (S/AC.26/Dec.42 (1997), S/AC.26/Dec.44 (1997), S/AC.26/Dec.51 (1998), S/AC.26/Dec.54 (1998) and S/AC.26/Dec.57 (1998)).